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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,907	06/13/2000	David William Balsdon	051481-5050	5487

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EXAMINER

FOX, JOHN C

ART UNIT PAPER NUMBER

3753

DATE MAILED: 05/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/592907

Applicant(s)

Examiner

Jyx

Art Unit

3153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/25/02
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 7-16<sup>21-24</sup> is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-16<sup>21-24</sup> is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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This action is responsive to the communication filed April 25, 2002.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 21-23 and 11-13 are rejected under 35 U.S.C. §102(b) as being anticipated by Rosas et al. Rosas et al show the claimed valve having a molded cap portion 14 "snapped" to the valve portion 12. The connector 70/72 is read as being releasable in view of the well known nature of such connectors in wiring harnesses in engines. It is inherent that cap 14 is adapted to be snapped to an intake manifold. It is also inherent that the cap can be fitted to the valve with the connector 70/72 at any orientation.

As to the newly recited limitations, the end of the pin or body 62 of Rosas et al adjacent the valve seat is read as occluding the aperture in that it will inherently block some flow without sealing the aperture, which corresponds to the analogous structure of the instant device. The valve head 16 is read as being elastomeric in view of the standard cross hatching for elastomeric material.

Claims 7-10 and 14-16 are rejected under 35 U.S.C. § 103 as being unpatentable over Rosas et al in view of Koch. Rosas et al show the claimed valve except for the pin and pin calibration feature. Koch shows a solenoid valve with pin and pin calibration

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feature as claimed. It would have been obvious for one of ordinary skill in the art to have used such a pin and pin calibration feature as taught by Koch in the valve of Rosas et al to similarly provide for adjustment of the spring biasing force on the valve.

Claims 21-23 and 11-13 are, in the alternative, rejected under 35 U.S.C. § 103 as being unpatentable over Rosas et al in view of Kadner. Rosas et al teach the claimed valve, as set forth above, but arguably does not show a second portion of the valve head "occluding" the valve seat. Kadner shows a reciprocating valve with a second portion of reduced cross section occluding the valve seat and including an O-ring to seal, which is reliable and long lasting. It would have been obvious for one of ordinary skill in the art to have used such a valve head and seal construction as taught by Kadner in the Rosas et al valve to improve the reliability and length of service of the valve thereof.

Claims 7-10 and 14-16 are, in the alternative, rejected under 35 U.S.C. § 103 as being unpatentable over Rosas et al in view of Kadner as applied above and further in view of Koch. Rosas et al, as modified, show the claimed valve except for the pin and pin calibration feature. Koch shows a solenoid valve with pin and pin calibration feature as claimed. It would have been obvious for one of ordinary skill in the art to have used such a


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pin and pin calibration feature as taught by Koch in the valve of Rosas et al to similarly provide for adjustment of the spring biasing force on the valve.

Any inquiry concerning this communication should be directed to Examiner Fox at (703) 308-2595 or John.Fox@uspto.gov. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0861. The fax number for Art Unit 3753 is (703) 308-7765. The Supervisory Primary Examiner for Art Unit 3753 is Michael Buiz who can be reached at (703) 308-2580 or at Michael.Buiz@uspto.gov.

  
JOHN FOX  
PRIMARY EXAMINER  
ART UNIT 3753

jcf  
May 5, 2002